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Filing date: **06/23/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221879
Party	Plaintiff Portta Electronics & Technology, Ltd.
Correspondence Address	Stephen L. Anderson Anderson & Associates 27280 Via Industria, Unit B Temecula, CA 92590 UNITED STATES attorneys@brandxperts.com
Submission	Motion for Default Judgment
Filer's Name	Stephen L. Anderson
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Signature	/StephenLAnderson/
Date	06/23/2015
Attachments	PORTTA- REQUEST FOR ENTRY OF DEFAULT.pdf(19665 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application Ser. No.: 86,473,534

Portta Electronics And Technology Limited)	Opposition No. 91221879
)	
Opposer,)	OPPOSER'S REQUEST FOR
)	NOTICE AND ENTRY OF DEFAULT
vs.)	
)	Mark: PORTTA
Jonathan Cao)	
Applicant.)	
_____)	

Opposer, Portta Electronics And Technology Limited, hereby requests that the Board issue a Notice of Default and/or enter the default of Applicant due to his failure to timely Answer the Opposition.

Within the Board's Order mailed on May 12, 2015, the applicant was ordered to "file an answer within forty (40) days from the mailing date" namely, no later than June 21, 2015.

According to 37 CFR § 2.106(a): "*If no answer is filed within the time set, the opposition may be decided as in case of default.*" Thus, the Applicant's default should be entered and the opposition should be decided as in default. At very least, the Board should promptly issue a notice that the Applicant show good cause why default should not be entered against him for failure to timely file an answer herein.¹

¹ If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board may issue a notice of default. The notice states that neither an answer nor any extension of time to answer has been filed; that notice of default under Fed. R. Civ. P. 55(a) is entered; and that defendant is allowed 30 days from the mailing date of the notice in which to show cause why default judgment should not be entered against it. If the defendant fails to file a response to the notice, or files a response that does not show good cause, default judgment may be entered against it. See 37 CFR § 2.106(a) and 37 CFR § 2.114(a); Fed. R. Civ. P. 55(a), 55(b) and 55(c); *DeLorme Publishing Co v. Eartha's Inc.*, 60 USPQ2d 1222, 1224 (TTAB 2000); *Paolo's Associates L.P. v. Bodo*, 21 USPQ2d 1899, 1902-03 (Comm'r 1990); *Identicon Corp. v. Williams*, 195 USPQ 447, 449 (Comm'r 1977).

Respectfully submitted,

Anderson & Associates

Dated: June 22, 2015

by: /StephenLAnderson/
Stephen L. Anderson
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CERTIFICATE OF SERVICE (BY FIRST CLASS MAIL)

I declare that:

I am employed in the County of Riverside, California. I am over the age of eighteen years and not a party to the within cause; my business address is 27280 Via Industria, Unit B, Temecula, CA 92590.

On June 22, 2015, I caused to serve the foregoing **OPPOSER'S REQUEST FOR NOTICE AND ENTRY OF DEFAULT** on the Applicant and his counsel of record by enclosing true copies thereof in sealed envelopes with postage prepaid and following ordinary business practices, said envelopes were addressed to:

Applicant – Jonathan Cao
39962 Cedar Blvd, Apt 148
Newark, CALIFORNIA 94560

and Applicant's attorney of record
JOHN SALCIDO
RAJ ABHYANKER, P.C.
1580 W. EL CAMINO REAL
SUITE 8
MOUNTAIN VIEW, CALIFORNIA 94040
UNITED STATES

The fully sealed envelopes with pre-paid postage were thereafter placed in the United States Mail receptacle. I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed in the City of Temecula, CA.

June 22, 2015

/StephenLAnderson/
Stephen L. Anderson